

House Bill 1476 (AS PASSED HOUSE AND SENATE)

By: Representative Freeman of the 140th

A BILL TO BE ENTITLED

AN ACT

1 To amend an Act restating and reenacting a certain homestead exemption from ad valorem
2 taxes levied for county and school purposes and a certain homestead exemption from ad
3 valorem taxes levied for county purposes in Twiggs County approved March 20, 1990 (Ga.
4 L. 1990, p. 3935), so as to increase the amount of the county exemption and the amount of
5 the income limitation; to lower the age requirement to 62 years of age or over; to specify the
6 terms and conditions of such exemption and the procedures relating thereto; to provide for
7 a referendum, effective dates, applicability, and automatic repeal; to repeal conflicting laws;
8 and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 An Act restating and reenacting a certain homestead exemption from ad valorem taxes levied
12 for county and school purposes and a certain homestead exemption from ad valorem taxes
13 levied for county purposes in Twiggs County approved March 20, 1990 (Ga. L. 1990, p.
14 3935), is amended by striking Section 5 and inserting in its place a new Section 5 to read as
15 follows:

16 **"SECTION 5.**

17 Each resident of Twiggs County who is 62 years of age or older is granted an exemption
18 from Twiggs County ad valorem taxation for county purposes in the amount specified by this
19 section on a homestead owned and occupied by the resident as a residence if the resident's
20 net income, together with the net income of the resident's spouse who also occupies and
21 resides at such homestead, as net income is defined by Georgia law, from all sources except
22 as hereinafter provided, does not exceed \$15,000.00 for the immediately preceding taxable
23 year for income tax purposes. For the purposes of this section, net income shall not include
24 income received as retirement, survivor, or disability benefits under the federal Social

1 Security Act or under any other public or private retirement, disability, or pension system,
2 except such income which is in excess of the maximum amount authorized to be paid to an
3 individual under the federal Social Security Act; and income from such sources in excess of
4 such maximum amount shall be included as net income for the purposes of this section. The
5 amount of the exemption granted by this section shall be as follows:

6 (1) The exemption granted by this section shall be \$15,000.00 of the assessed value of
7 the homestead for the tax year beginning January 1, 2007;

8 (2) The exemption granted by this section shall be \$25,000.00 of the assessed value of
9 the homestead for the tax year beginning January 1, 2008, and for all tax years thereafter."

10 SECTION 2.

11 Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election
12 superintendent of Twiggs County shall call and conduct an election as provided in this
13 section for the purpose of submitting this Act to the electors of Twiggs County for approval
14 or rejection. The election superintendent shall conduct that election on the date of the
15 November, 2006, state-wide general election and shall issue the call and conduct that election
16 as provided by general law. The election superintendent shall cause the date and purpose of
17 the election to be published once a week for two weeks immediately preceding the date
18 thereof in the official organ of Twiggs County. The ballot shall have written or printed
19 thereon the words:

20 "() YES Shall the Act be approved which changes the homestead exemption from
21 Twiggs County ad valorem taxes for county purposes in the amount of

22 () NO \$8,000.00 of the assessed value of the homestead for residents of that
23 county who are 65 years of age or over and whose income, not including
24 certain retirement income, does not exceed \$10,000.00 so that the
25 exemption amount is increased to \$15,000.00 in 2007 and to \$25,000.00 for
26 2008 and subsequent years and which increases the income limitation to
27 \$15,000.00 and lowers the age qualification to 62 years of age or over?"

28 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring
29 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on
30 such question are for approval of the Act, Section 1 of this Act shall become of full force and
31 effect on January 1, 2007. If the Act is not so approved or if the election is not conducted
32 as provided in this section, Section 1 of this Act shall not become effective and this Act shall
33 be automatically repealed on the first day of January immediately following that election

1 date. The expense of such election shall be borne by Twiggs County. It shall be the election
2 superintendent's duty to certify the result thereof to the Secretary of State.

3 **SECTION 3.**

4 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon
5 its approval by the Governor or upon its becoming law without such approval.

6 **SECTION 4.**

7 All laws and parts of laws in conflict with this Act are repealed.